

9-301A145

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December 26, 1989

SUSAN G. LICHTENFELD

RECORDATION NO

11082-1
FILED 1425 E

VIA FEDERAL EXPRESS

DEC 27 1989-12 30 PM

Ms. Noreta R. McGee
Secretary
Interstate Commerce Commission
12th Street & Constitution Ave., N.W.
Washington, D.C. 20423

INTERSTATE COMMERCE COMMISSION

Dear Ms. McGee:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11303(a) are one original executed copy and three photostatic copies of a Partial Release of Railcar Lien, dated August 8, 1988 relating to a Conditional Sale Agreement, dated as of November 1, 1979, from The Pittsburgh and Lake Erie Railroad Company to Greenville Steel Company (the "Conditional Sale Agreement") duly recorded and filed with the Interstate Commerce Commission pursuant to 49 U.S.C. §11303 on November 26, 1979 under Recordation Number 11082, which Conditional Sale Agreement is a primary document as defined in the Commission's Rules for the Recordation of Documents.

As set forth in the enclosed Partial Release of Railcar Lien, the Conditional Sale Agreement was assigned to Mercantile-Safe Deposit and Trust Co., as agent ("Mercantile"), pursuant to an Agreement and Assignment dated as of November 1, 1979 pursuant to 49 U.S.C. §11303 under Recordation Number 11082-A, which Assignment is a secondary document as defined in the Commission's Rules for the Recordation of Documents. Mercantile assigned its rights and interests in and to the Conditional Sale Agreement to The Connecticut National Bank, as Security Trustee, pursuant to an Assignment of Conditional Sale Agreement dated as of May 1, 1985 (CSA Assignment), duly recorded and filed with the Commission pursuant to 49 U.S.C. §11303 on June 6, 1985 under Recordation Number 11082-B, which CSA Assignment is a secondary document as defined in the Commission's Rules for the Recordation of Documents.

The name and address of the party to the enclosed document is:

Ms. Noreta R. McGee
December 26, 1989
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The Connecticut National Bank, as security trustee
777 Main Street
Hartford, Connecticut 06115

A description of the Railroad equipment covered by the enclosed document is set forth in Appendix A hereto.

Also enclosed is a check in the amount of \$15.00 payable to the order of the Interstate Commerce Commission covering the required recordation fee.

Kindly return three stamped photostatic copies of the enclosed document to Susan G. Lichtenfeld, Esq., Ross & Hardies, 150 North Michigan Avenue, Chicago, Illinois 60601.

Following is a short summary of the enclosed document and primary document and secondary documents to which it relates:

Document to be Recorded

Partial Release of Railcar Lien from The Connecticut Bank, as security trustee, dated August 8, 1988, releasing lien on the railcars described on Appendix A thereto.

Primary Document to Which it Relates

Conditional Sale Agreement, dated as of November 1, 1979, from The Pittsburgh and Lake Erie Railroad Company to Greenville Steel Car Company, recorded and filed with the Interstate Commerce Commission pursuant to 49 U.S.C. §11303 on November 26, 1979 under Recordation Number 11082.

Secondary Documents to Which it Relates

Agreement and Assignment, dated as of November 1, 1979, from Greenville Steel Car Company to Mercantile - Safe Deposit and Trust Co., as Agent, recorded and filed with the Interstate Commerce Commission pursuant to 49 U.S.C. §11303 under Recordation Number 11082-A.

Assignment of Conditional Sale Agreement dated as of May 1, 1985 between Mercantile - Safe Deposit and Trust Co., as agent, and The Continental National Bank, as Security Trustee, recorded and

Ms. Noreta R. McGee
December 26, 1989
Page 3

filed with the Interstate Commerce Commission on
June 6, 1985 under Recordation Number 11082-B.

Very truly yours,


Susan G. Lichtenfeld

SGL:jlw

Enclosures

cc: Gordon E. Neuenschwander

G. Edward Yurcon

C. R. Holley

J. E. Lenart

Robert W. Kleinman

Michael M. Hopkins

John W. Humes, Jr.

APPENDIX A

5 Open-Top Hopper Cars

PLE 81550
PLE 81562
PLE 81693
PLE 81756
PLE 81762

Interstate Commerce Commission
Washington, D.C. 20423

12/27/89

OFFICE OF THE SECRETARY

Susan G Lichtenfeld
Ross & Hardies
150 North Michigan Avenue
Chicago, Illinois 60601

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 12/27/89 at 12:30pm and assigned recordation number(s). 11032-E, 12128-HH & 14696-JJJ

Sincerely yours,



Noreta R. McGee
Secretary

Enclosure(s)

SGL-6-i
LARRY/TLK

RECORDATION NO. 11082-F FILED 1425

DEC 27 1989-12 30 PM

INTERSTATE COMMERCE COMMISSION

PARTIAL RELEASE OF RAILCAR LIEN

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, THE PITTSBURGH AND LAKE ERIE RAILROAD COMPANY, a Delaware corporation (the "Railroad") has heretofore executed and delivered its Conditional Sale Agreement dated as of November 1, 1979 (the "CSA") to Greenville Steel Car Company ("Greenville"), which document was duly recorded and filed with the Interstate Commerce Commission on November 26, 1979 pursuant to 49 U.S.C. § 11303 and assigned Recordation Number 11082; and

WHEREAS, the CSA was assigned by Greenville to Mercantile - Safe Deposit and Trust Co., as Agent ("Mercantile"), pursuant to an Agreement and Assignment dated as of November 1, 1979, which document was duly recorded and filed with the Interstate Commerce Commission pursuant to 49 U.S.C. § 11303 and assigned Recordation Number 11082-A; and

WHEREAS, Mercantile assigned all of its rights and interests in and to the CSA to THE CONNECTICUT NATIONAL BANK, a national banking association, as security trustee (the "Security Trustee") under the Master Agreement Regarding the Restructuring of Obligations of The Pittsburgh and Lake Erie Railroad Company dated as of May 1, 1985, as amended and supplemented (the "Master Agreement"), pursuant to an Assignment of Conditional Sale Agreement dated as of May 1, 1985, which document was duly recorded and filed with the Interstate Commerce Commission pursuant to 49 U.S.C. § 11303 on June 6, 1985 and assigned Recordation Number 11082-B; and

WHEREAS, the Railroad has requested the Security Trustee to release from the lien of the CSA certain property hereinafter particularly described and has complied with all conditions of the CSA and the Master Agreement precedent to such release.

NOW, THEREFORE, the Security Trustee, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, receipt whereof is hereby acknowledged, does hereby RELEASE, REMISE, CONVEY AND QUIT CLAIM unto the Railroad, its successors and assigns, all of the right, title, lien, interest, claim or demand whatsoever which the Security Trustee has or may have acquired under, through or by virtue of the CSA in and to the property described in Appendix A hereto.

THIS INSTRUMENT is executed upon the express condition that nothing herein contained shall be construed to release from the lien of the CSA, or to impair said lien upon any property

subject thereto, except the property hereinabove specifically described.

IN WITNESS WHEREOF, the Security Trustee has caused this instrument to be duly executed and delivered by its duly authorized officer as of the 8th day of August, 1988.

THE CONNECTICUT NATIONAL BANK,
as Security Trustee

By: EC Hammer

Title: Corporate Trust Officer

STATE OF CONNECTICUT)
) SS
COUNTY OF HARTFORD)

On this 8th day of August, 1988, before me, the subscriber, Susan C. Chadbourne, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named ELIZABETH C. HAMMER to me personally known, who stated and acknowledged that she is a Corporate Trust Officer of The Connecticut National Bank, a national banking association, and duly authorized by authority of the board of directors or the by-laws of said association in ~~his~~ ^{her} capacity as such officer to execute and acknowledge the foregoing instrument for and in the name and on behalf of said association and further stated and acknowledged that she has so signed, executed and delivered the foregoing instrument as the free and voluntary act and deed of said association, for the consideration, uses and purposes therein mentioned and set forth and desired that the same might be recorded as such.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of August, 1988.

Susan C. Chadbourne
Notary Public

My commission expires: March 31, 1990

APPENDIX A

5 Open-Top Hopper Cars

PLE 81550
PLE 81562
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